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In re Application of :
Johan A. M. Grooten et al :
Serial No.: 10/045,185 : PETITION DECISION
Filed: October 18, 2001 :
Attorney Docket No.: DECLE1.001DV1 :

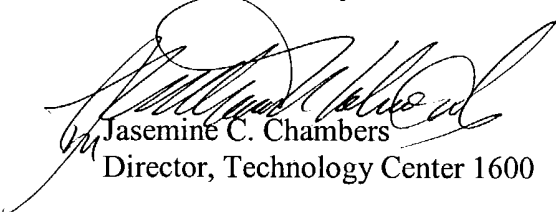
This is in response to the petition under 37 CFR 1.181, filed June 28, 2004, for withdrawal of abandonment of the above identified application based on failure to receive an Office action.

A review of the file history shows that the examiner mailed an Office action to applicants on November 3, 2003, setting a three month shortened statutory period for reply. Upon failure to receive a reply the Office mailed a Notice of Abandonment to applicants on June 23, 2004. Applicants state that the Office action was never received and provide a statement that Office records are incorrect in that an old address was used in this application which is associated with Customer No. 20995. A review of the application papers, as filed shows that the declaration contains no Power of Attorney or Customer No., or correspondence address. One page of the transmittal letter requests the Office to use Customer No. 20995 as the correspondence address. For unknown reasons this was not done and the address associated with this application was taken from other papers in the file all of which contain applicants' old correspondence address. In view of the evidence presented the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be associated with the correct Customer No., and the application will then be forwarded to the examiner for mailing of a new Office action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 703-872-9306.


Jasmine C. Chambers
Director, Technology Center 1600